



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1340 be amended to read as follows:

- 1 Page 12, line 38, after "the CPAP" insert "**provider shall, not later**
- 2 **than three (3) days after the CPAP contract is executed by the**
- 3 **CPAP provider and the consumer claimant, send to the consumer**
- 4 **claimant's attorney by insured, certified, or registered United**
- 5 **States mail a written notice that:**
- 6 **(1) states that a CPAP contract has been entered into by the**
- 7 **consumer claimant and the CPAP provider;**
- 8 **(2) directs the consumer claimant's attorney to disburse to the**
- 9 **CPAP provider through:**
- 10 **(A) a trust account of the consumer claimant's attorney; or**
- 11 **(B) a settlement fund established to receive the proceeds of**
- 12 **the civil proceeding on behalf of the consumer claimant;**
- 13 **any proceeds of the consumer claimant's civil proceeding that**
- 14 **the CPAP provider may receive under IC 24-4.3-4-4(c); and**
- 15 **(3) includes the name under which the CPAP provider does**
- 16 **business, an address to which the consumer claimant's**
- 17 **attorney may address correspondence, and the contact**
- 18 **information for the CPAP provider's employee or agent with**
- 19 **whom the consumer claimant's attorney may correspond."**
- 20 Page 12, delete lines 39 through 42.
- 21 Page 13, delete lines 1 through 28.
- 22 Page 16, line 9, delete "OR".

- 1 Page 16, line 10, delete "YOUR ATTORNEY".
- 2 Page 16, line 30, after "or" insert ", **subject to the consent of the**
- 3 **consumer claimant's attorney, from**".
- 4 Page 16, line 35, after "or" insert ", **subject to the consent of the**
- 5 **consumer claimant's attorney, by**".
- 6 Page 18, line 36, delete "claimant and the consumer claimant's
- 7 attorney," and insert "**claimant,**".
- 8 Page 19, line 1, delete "claimant and the consumer claimant's
- 9 attorney," and insert "**claimant,**".
- 10 Page 20, line 20, delete "and the consumer" and insert "**consents in**
- 11 **writing to the arrangement and, if the consumer claimant is**
- 12 **represented by an attorney in the civil proceeding, each CPAP**
- 13 **provider that enters into a CPAP transaction with the consumer**
- 14 **claimant provides to the consumer claimant's attorney the written**
- 15 **notice required under IC 24-4.3-3-1(c).**".
- 16 Page 20, delete line 21.
- 17 Page 20, line 25, after "or" insert ", **subject to the consent of the**
- 18 **consumer claimant's attorney, from**".
- 19 Page 20, line 32, after "or" insert ", **if the consumer claimant's**
- 20 **attorney has consented to the requests, to**".
- (Reference is to HB 1340 as printed January 30, 2015.)

Representative Riecken